

STATE OF INDIANA

# INDIANA STATE POLICE

INDIANA GOVERNMENT CENTER NORTH

100 NORTH SENATE AVENUE

INDIANAPOLIS, INDIANA 46204-2259

www.in.gov/isp  
1550 E. 181st Avenue  
Lowell, Indiana 46356

October 2, 2018

Attorney James J. Shea Sr.  
HUNT SUEDHOFF KALAMAROS LLP  
803 South Calhoun Street, Suite 900  
Fort Wayne, Indiana 46802

RE: Request for Production – Rose v. Birch Tree Holdings, LLC and Joshua Ayres  
United States District Court – Northern District of Indiana - Case 2:18-cv-00197-JTM-JEM  
Your File: *DONBIR*

Dear Attorney Shea,

This letter is in response to your request regarding the above-mentioned case, a copy of which is enclosed herewith. You had requested any and all investigative records regarding the fire loss on November 21, 2016.

I spoke with your office last week, and explained that this was an ongoing investigation involving the death of four individuals. We discussed that some of the material was crucial to the ongoing criminal investigation, and the Indiana State Police's interest in preventing disclosure of law enforcement techniques and procedures, preserving the confidentiality of sources, protecting witness and law enforcement personnel, safeguarding the privacy of individuals involved in an investigation, and otherwise to prevent interference with the investigation and any subsequent prosecution. You had agreed to a few additional days for the investigators to comb through the documentation and determine what information could be released without harm to the investigation.

After that review, I am including Indiana State Police report 16ISPC012144 and attachments, along with a compact disc containing photographs. The cost to the Indiana State Police Department for providing the requested items is \$15.00 for the photograph CD and 176 pages at \$0.15/page. Please remit a check or draft in the amount of \$41.40 payable to the Indiana State Police to:

Indiana State Police  
Attention: Lieutenant Susan Dean, Legal Office  
100 North Senate Avenue  
Indianapolis, IN 46204-2259

Please do not hesitate to contact us if we can be of further assistance.

Sincerely,



Peter B. Wood, Lieutenant

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**Exhibit B**

	Date	Author(s)	Receipient(s)	Nature of Document
	Aug-16	Unknown	Indiana State Fire Marshal Investigation Division	Investigative report
	Aug-16	Unknown	Indiana State Fire Marshal Investigation Division	Investigative report
	Aug-16	Unknown	Indiana State Fire Marshal Investigation Division	Investigative report
	Aug-16	Unknown	Indiana State Fire Marshal Investigation Division	Investigative report
	Aug-16	Unknown	Indiana State Fire Marshal Investigation Division	Investigative report
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	Aug-16	Unknown	Indiana State Fire Marshal Investigation Division	Investigative report
	Aug-16	Unknown	Indiana State Fire Marshal Investigation Division	Investigative report
	Aug-16	Unknown	Indiana State Fire Marshal Investigation Division	Investigative report
	Aug-16	Unknown	Indiana State Fire Marshal Investigation Division	Investigative report
	Aug-16	Unknown	Indiana State Fire Marshal Investigation Division	Investigative report
	11/21/2016	Unknown	Indiana State Fire Marshal Investigation Division	Photograph
	11/21/2016	Unknown	Indiana State Fire Marshal Investigation Division	Photograph

	11/21/2016	Unknown	Indiana State Fire Marshal Investigation Division	Photograph
	11/21/2016	Unknown	Indiana State Fire Marshal Investigation Division	Photograph
	11/21/2016	Unknown	Indiana State Fire Marshal Investigation Division	Photograph
	11/23/2016	Unknown	Indiana State Fire Marshal Investigation Division	Photograph
	11/23/2016	Unknown	Indiana State Fire Marshal Investigation Division	Photograph
	11/23/2016	Unknown	Indiana State Fire Marshal Investigation Division	Photograph
	11/25/2016	Unknown	Indiana State Fire Marshal Investigation Division	Photograph
	11/25/2016	Unknown	Indiana State Fire Marshal Investigation Division	Photograph
	11/25/2016	Unknown	Indiana State Fire Marshal Investigation Division	Photograph
	11/25/2016	Unknown	Indiana State Fire Marshal Investigation Division	Photograph
	11/25/2016	Unknown	Indiana State Fire Marshal Investigation Division	Photograph
	11/25/2016	Unknown	Indiana State Fire Marshal Investigation Division	Photograph
	11/21/2016	Dennis Randle	Indiana State Fire Marshal Investigation Division	Property record and receipt
	11/21/2016	Unknown	Indiana State Fire Marshal Investigation Division	Diagram

	Unknown	Dennis Randle	Indiana State Fire Marshal Investigation Division	Investigative narrative
	Unknown	Dennis Randle	Indiana State Fire Marshal Investigation Division	Investigative narrative
	Unknown	Dennis Randle	Indiana State Fire Marshal Investigation Division	Investigative narrative
	Unknown	Dennis Randle	Indiana State Fire Marshal Investigation Division	Investigative narrative
	12/8/2016	Dennis Randle	Indiana State Fire Marshal Investigation Division	Investigative narrative
	12/23/2016	Dennis Randle	Indiana State Fire Marshal Investigation Division	Investigative narrative
	3/1/2017-3/	Dennis Randle	Indiana State Fire Marshal Investigation Division	Investigative narrative
	3/2/2017-3/	Dennis Randle	Indiana State Fire Marshal Investigation Division	Investigative narrative
	1/3/2017	Timothy Murray	Indiana State Fire Marshal Investigation Division	Investigative narrative
	1/17/2017; 1	Timothy Murray	Indiana State Fire Marshal Investigation Division	Investigative narrative
	3/30/2017	Timothy Murray	Indiana State Fire Marshal Investigation Division	Investigative narrative
	3/30/2017; 3	Timothy Murray	Indiana State Fire Marshal Investigation Division	Investigative narrative
	3/31/2017	Timothy Murray	Indiana State Fire Marshal Investigation Division	Investigative narrative

	4/10/2017	Timothy Murray	Indiana State Fire Marshal Investigation Division	Investigative narrative
	4/10/2017	Timothy Murray	Indiana State Fire Marshal Investigation Division	Investigative narrative
	11/21/2016	Dennis Randle	Indiana State Fire Marshal Investigation Division	Property record and receipt
	Unknown	Dennis Randle	Indiana State Fire Marshal Investigation Division	Property record and receipt
	12/15/2016	Raymond J. Kuk	Special Agent Kevin Whitaker, BATFE	US DOJ - BATFE Forensic Laboratory Report
	11/21/2016	Dennis Randle	Indiana State Fire Marshal Investigation Division	Case Summary
	Unknown	Dennis Randle	Indiana State Fire Marshal Investigation Division	Investigator Field Handwri
	Unknown	Dennis Randle	Indiana State Fire Marshal Investigation Division	Investigator Field Handwri
	Unknown	Dennis Randle	Indiana State Fire Marshal Investigation Division	Investigator Field Handwri
	Unknown	Dennis Randle	Indiana State Fire Marshal Investigation Division	Investigator Field Handwri
	12/2/2016	Dennis Randle	Indiana State Fire Marshal Investigation Division	Investigator Field Handwri
	Unknown	Dennis Randle	Indiana State Fire Marshal Investigation Division	Investigator Field Handwri
	Unknown	Dennis Randle	Indiana State Fire Marshal Investigation Division	Investigator Field Handwri
	Unknown	Dennis Randle	Indiana State Fire Marshal Investigation Division	Investigator Field Handwri

[illegible]

	11/21/2016	Allen Shelby	Unknown	Sign-in Sheet
	11/21/2016	Kevin Sommers	Unknown	Sign-in Sheet
	11/21/2016	Chris Fisher	Unknown	Sign-in Sheet
	11/21/2016	Phil Cable	Unknown	Sign-in Sheet
	11/21/2016	Chris Fisher	Unknown	Sign-in Sheet
	Unknown	BMV	Unknown	Official Image Record
	3/20/2017	Unknown	Unknown	Check Copy
	3/14/2017	Unknown	Unknown	Check Copies
	11/21/2016	Unknown	Unknown	Bank Account Agreement
	11/21/2016	Unknown	Unknown	Bank Account Agreement
	11/21/2016	Unknown	Unknown	Bank Account Agreement
	11/21/2016	Dennis Randle	Indiana State Fire Marshal Investigation Division	Property record and receipt
	12/15/2016	Raymond J. Kuk	Special Agent Kevin Whitaker, BATFE	Lab report

Description of Contents	Privilege	Bates	
Area of origin of fire and type	Law Enforcement Investigatory	IDHS000010	
DOB	Personal Information	IDHS000014	
DOB and SSN	Personal Information	IDHS000016	
DOB	Personal Information	IDHS000017	
DOB and SSN	Personal Information	IDHS000018	
DOB	Personal Information	IDHS000020	
DOB and SSN	Personal Information	IDHS000021	
DLN	Personal Information	IDHS000022	
DOB	Personal Information	IDHS000027	
DOB	Personal Information	IDHS000028	
DOB	Personal Information	IDHS000029	
DOB and SSN	Personal Information	IDHS000030	
Photograph of one of the locations of the origin of the fire	Law Enforcement Investigatory	IDHS000036	
Photograph of origin are cleaned up	Law Enforcement Investigatory	IDHS000037	



Photograph of back of house	Law Enforcement Investigatory	IDHS000038	
Photograph of are leading to back of house	Law Enforcement Investigatory	IDHS000039	
Photograph inside home of evidence related to start of fire	Law Enforcement Investigatory	IDHS000040	
Photograph inside home of evidence related to start of fire	Law Enforcement Investigatory	IDHS000041	
Photograph inside home of evidence related to start of fire	Law Enforcement Investigatory	IDHS000042	
Photograph inside home of evidence related to start of fire	Law Enforcement Investigatory	IDHS000043	
Photograph inside home related to fire patterns	Law Enforcement Investigatory	IDHS000044	
Photograph inside home related to fire patterns	Law Enforcement Investigatory	IDHS000045	
Photograph inside home related to fire patterns	Law Enforcement Investigatory	IDHS000046	
Photograph inside home of evidence related to start of fire	Law Enforcement Investigatory	IDHS000047	
Photograph inside of home of evidence related to start of fire	Law Enforcement Investigatory	IDHS000048	
Photograph inside of home of evidence related to start of fire	Law Enforcement Investigatory	IDHS000049	
Documentation of description of evidence collected	Law Enforcement Investigatory	IDHS000058	
diagram of home with origin of fire	Law Enforcement Investigatory	IDHS000073	

DOB and information related to evidence of origin of fire	Law Enforcement Investigatory	IDHS000076	
Information related to origin of fire	Law Enforcement Investigatory	IDHS000077	
Information related to origin of fire, patterns and items used to start fire	Law Enforcement Investigatory	IDHS000078	
Information related to origin of fire, and items used to start fire	Law Enforcement Investigatory	IDHS000079	
Information related to K-9 alerting of origin of fire, and evidence collected	Law Enforcement Investigatory	IDHS000080	
Witness statement regarding origin of fire and related evidence	Law Enforcement Investigatory	IDHS000082	
Information regarding unrelated criminal investigation; information regarding search of property and evidence collection	Law Enforcement Investigatory	IDHS000083	
Information and search regarding unrelated criminal investigation; debriefing about investigation updates	Law Enforcement Investigatory	IDHS000084	
Witness statement regarding potential suspects; information about evidence results	Law Enforcement Investigatory	IDHS000086	
Discussion about potential suspects and lab results of evidence; discussion of potential suspects and motives	Law Enforcement Investigatory	IDHS000087	
Information from individuals regarding potential suspects and motive	Law Enforcement Investigatory	IDHS000088	
Witness statements regarding potential suspects and motives	Law Enforcement Investigatory	IDHS000090	
Witness statements regarding potential suspects and motives; name of minor	Law Enforcement Investigatory	IDHS000091	

Witness statements regarding potential suspects and motives	Law Enforcement Investigatory	IDHS000092	
Discussion with other agencies regarding agency reports about unrelated criminal investigations	Law Enforcement Investigatory	IDHS000093	
Documentation of description of evidence collected	Law Enforcement Investigatory	IDHS000110	
Documentation of description of evidence collected	Law Enforcement Investigatory	IDHS000112	
Lab report of evidence collected	Law Enforcement Investigatory	IDHS000113	
Information regarding origin of fire	Law Enforcement Investigatory	IDHS000154	
Potential suspect name	Law Enforcement Investigatory	IDHS000159	
Information regarding potential suspect and motive	Law Enforcement Investigatory	IDHS000162	
personal identifying information of individuals; information regarding suspect's alias	Law Enforcement Investigatory and Per	IDHS000165	
diagram of home with information related to origin of fire	Law Enforcement Investigatory	IDHS000166	
Diagram with information related to origin of fire	Law Enforcement Investigatory	IDHS000167	
Personal identifying information of individuals	Personal Information	IDHS000169	
Social security numbers of individuals	Personal Information	IDHS000170	
Prescription numbers of medications	Personal Information	IDHS000171	

Personal Identifying information of individuals	Personal Information	IDHS000172	
Notes regarding area of origin of fire	Law Enforcement Investigatory	IDHS000174	
Notes regarding area of origin of fire	Law Enforcement Investigatory	IDHS000175	
Information regarding unrelated ongoing criminal investigation	Law Enforcement Investigatory	IDHS000177	
Information regarding unrelated ongoing criminal investigation	Law Enforcement Investigatory	IDHS000178	
Minor information; information related to potential suspects and evidence use to start fire	Law Enforcement Investigatory	IDHS000179	
Observations of origin of fire	Law Enforcement Investigatory	IDHS000187	
DOB	Personal Information	IDHS000189	
Statement about potential motive	Law Enforcement Investigatory	IDHS000192	
Notes about potential suspects	Law Enforcement Investigatory	IDHS000193	
DOB	Personal Information	IDHS000194	
Information regarding evidence located in house	Law Enforcement Investigatory	IDHS000198	
Information of potential suspects, motives; personal identifying information of individual	Law Enforcement Investigatory	IDHS000201	
Information of potential suspects, evidence; information regarding ongoing unrelated criminal investigation	Law Enforcement Investigatory	IDHS000202	

Sign-in Sheet with personal identifying information of individual	Personal Information	IDHS000221	
Sign-in Sheet with personal identifying information of individual	Personal Information	IDHS000234	
Sign-in Sheet with personal identifying information of individual	Personal Information	IDHS000250	
Sign-in Sheet with personal identifying information of individual	Personal Information	IDHS000285	
Sign-in Sheet with personal identifying information of individual	Personal Information	IDHS000291	
Personal identifying information of individual	Personal Information	IDHS000299	
Bank Account number	Personal Information	IDHS000310	
Bank Account number	Personal Information	IDHS000312	
Personal identifying information of individuals	Personal Information	IDHS000313	
Personal identifying information of individuals	Personal Information	IDHS000314	
Personal identifying information of individuals	Personal Information	IDHS000315	
Documentation of description of evidence collected	Law Enforcement Investigatory	IDHS000321	
Lab report of evidence collected	Law Enforcement Investigatory	IDHS000324	